

LAW OFFICES
LEGARÉ, HARE & SMITH
63 BROAD STREET
CHARLESTON, SOUTH CAROLINA
TELEPHONE (803) 722-7773
FAX (803) 722-3417

T. ALLEN LEGARÉ, JR.
J. C. HARE
GAINES W. SMITH
ROBERT D. FOGEL, ASSOCIATE

DOCKET FILE COPY ORIGINAL

February 10, 1993

RECEIVED
FEB 12 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
MAILING ADDRESS
POST OFFICE BOX 578
ZIP 29402

Ms. Donna Searcy, Secretary
Federal Communications Commission
1919 M Street NW Room 222
Washington, DC 20553

Re: PETITION FOR RULEMAKING AND REQUEST TO MODIFY LICENSE

Dear Ms. Searcy:

Transmitted herewith for filing with the Commission are an original and four copies of a Petition proposing an amendment to the FM Table of Allotments, Trenton, Florida (Section 73.202(b)).

In addition to the above copies, an additional copy with a self-addressed stamped envelope is enclosed for stamped return receipt.

Please direct any questions to the undersigned.

Respectfully submitted,

LEGARE, HARE & SMITH

Robert D. Fogel

Robert D. Fogel,
As Counsel and Personal
Representative of the Estate of
William H. Burckhalter

RDF/ssm
Enclosures

CC: Mr. Karl A. Kensinger (w/encl.)
Chief, Allocations Branch

No. of Copies rec'd 2+4
ABCODE

Before The
Federal Communications Commission
Washington, D.C. 20554

FEB 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	RM- _____
Amendment of Section 73.202 (b),)	
Table of Allotments,)	MM Docket No. _____
FM Broadcast Stations)	
(Trenton, Florida))	

PETITION FOR RULEMAKING AND
REQUEST TO MODIFY LICENSE

Robert D. Fogel, personal representative of the Estate of William H. Burckhalter ("Fogel"), licensee of Station WCWB(FM), Trenton Florida, pursuant to Sections 1.401 and 1.420 of the Commission's Rules, hereby respectfully petitions the Commission to initiate a rulemaking proceeding to amend the Table of Allotments, FM Broadcast Stations, to substitute Channel 269C2 for Channel 269A at Trenton Florida, and to modify Station WCWB(FM)'s license to specify operation on Channel 269C2.

The attached Engineering Statement of World Media, Inc. demonstrates that Channel 269C2 can be allocated to Trenton, Florida consistent with the mileage separation requirements of Section 73.207 of the Commission's Rules, subject to the conditions set forth in the Statement. The Engineering Statement includes a map depicting the area in which the Station's transmitter site could be located to provide the required city-grade service to Trenton Florida.

The upgrade of Channel 269A to 269C2 would further serve the public interest by improving the efficiency of the allocation and

the use of the electromagnetic spectrum, thereby enabling WCWB to upgrade it's facility and provide service to a greater population over an expanded coverage area.

Should the Commission allot Channel 269C2 to Trenton, Florida, Fogel will promptly file an application for authority to upgrade it's facilities and if the application is granted, it will promptly construct the authorized modifications.

WHEREFORE, Robert D. Fogel, personal representative of the Estate of William H. Burckhalter, requests that a rulemaking proceeding be initiated to substitute Channel 269C2 for Channel 269A in the FM Table of Allotments for Trenton Florida, and to modify the license of Station WCWB(FM) to specify operation on Channel 269C2.

Respectfully submitted,

Robert D. Fogel, personal representative
of the Estate of William H. Burckhalter

By: Robert D. Fogel
Robert D. Fogel

as personal representative and counsel of
the Estate of William H. Burckhalter

% Robert D. Fogel
Legare, Hare & Smith
PO Box 578
63 Broad Street
Charleston, South Carolina 29402
(803) 722-7773

Dated: 10 February 1993

Engineering Statement

Petition for Rule-Making

WCWB C-2

February 4, 1993

**Prepared for Robert D. Fogel
Personal Representative of the Estate of William H Burckhalter
Radio Station WCWB FM Trenton, Florida**

ENGINEERING STATEMENT

FEBRUARY 4, 1993

Victor C. Bosiger, hereby certifies:

That he is an engineer and President of World Media, Inc., with offices located at World Corporate Center, 236 Ivy Lake Drive, Forest Virginia.

That he holds both CET certification and FCC General Class Radiotelephone licenses, and has been consistently engaged in the practice of engineering for over 20 years. His qualifications are a matter of record with the Federal Communications Commission.

That the firm of World Media, Inc. has been retained by Robert D. Fogel, personal representative of the Estate of William H. Burckhalter, licensee of WCWB-FM, Trenton, Florida, for the purpose of preparing this Engineering Statement in support of a Petition for Rulemaking to amend the Table of FM Allotments, Section 73.202(b), to allocate Channel 269C2 (101.7MHz) to Trenton, Florida in lieu of Channel 269A.

It is proposed to amend the Table of FM allotments as follows:

<u>COMMUNITY</u>	<u>PRESENT ALLOCATION</u>	<u>PROPOSED ALLOCATION</u>
TRENTON, FL	269A	269C2

A study was undertaken to determine this proposed amendment's compliance with the Commission's minimum separation requirements set forth in Section 73.207 (Exhibit One). This study indicates that Channel 269C2 would meet these requirements based on the following criteria:

The site to meet the minimum spacing requirements of Section 73.207 must be within the boundaries of the designated area located on the map attached hereto as Exhibit Two, Map One. This area to locate meets all applicable FCC Rules and Regulations. A transmitter site located within this area will provide a 3.16 MV/m (70 dBu) city grade contour over the community of license (Trenton, Florida) as required by Section 73.315. Exhibit One sets forth a list of existing stations, allocations, applications, and proposed rule-makings for co-channel and adjacent channels pertinent to this request for allocation of Channel 269C2 to Trenton, Florida.

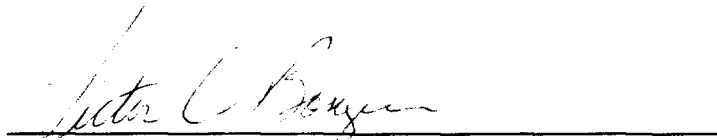
Engineering Statement
Page Two

The computations and tabulations of Exhibits One and Two are consistent with the methods prescribed in Section 73.208(a)(2). The geographic co-ordinates used for reference for this study are:

Latitude: 29 35 00 Longitude: 83 05 50

The foregoing considered, the results of this study show that Channel 269C2 can be assigned to Trenton, Florida consistent with the requirements of the Commission's Rules and Regulations.

All computations and statements contained herein were made by Victor C. Bosiger or under his direction and are true and correct to the best of his knowledge.

A handwritten signature in dark ink, appearing to read "Victor C. Bosiger", is written over a horizontal line.

WORLD MEDIA, INC.
Victor C. Bosiger, CET
Engineering Consultant

EXHIBIT ONE

WORLD MEDIA, INC.
FOREST, VA

Page 1
February 4, 1993

FM Spacing study

Title: WCWBC2
Channel 269C2 (101.7 MHz)
Database: DW 01/22/93

Latitude: 29-35-00
Longitude: 83-05-50
Safety zone: 5 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License		St	FCC File no.	Freq EAH-m	Longitude	-from	(km)	(km)
WVVS	LIC	VALDOSTA	STATE COLLEGE	*215C2 5.30	30-50-50	352.5	141.3	20
VALDOSTA		GA	BLED-790702AE	90.9 21	83-17-26	172.4	121.3	CLEAR
WCIE-FM LIC	EVANGEL	CHRISTIAN SCHOOL	*216C1	100	28-04-46	148.1	196.0	27
LAKELAND		FL	BLED-820706AT	91.1 128	82-02-27	328.6	169.0	CLEAR
Was WCIE 08/08/88								
WAPT	LIC	CHRISTIAN RADIO FELLOWSH	266C1	100	30-51-50	348.7	144.8	79
VALDOSTA		GA	BLH-880205KC	101.1 170	83-23-39	168.6	65.80	CLEAR
WFEZ	ORD	GEORGE E. MILLS, JR., TR	267A		29-25-04	109.0	56.20	55
WILLISTON		FL	101.3		82-32-58	289.3	1.199	CLOSE
DOC-91-52; ORDERED FROM 221A; Was WLLO 10/06/87								
WFHT	ORD	STERLING COMMUNICATIONS	268C2	50	30-31-08	308.9	166.7	130
QUINCY		FL	BPH-881213IB	101.5 145	84-27-04	128.3	36.74	CLEAR
ORDERED FROM 269A; TDF; Was WIQI 04/20/90 per FCC release #132 dated 04/20/90; Affiliated with WWSD(AM)								
WHJX-FM LIC	EAGLE	BROADCASTING INCOR	268C	100	30-49-17	43.2	189.7	188
BRUNSWICK		GA	BLH-890707KD	101.5 446	81-44-13	223.9	1.715	CLOSE
License Granted 03/28/90 per FCC release #20824 dated 04/04/90; Was WHJX 12/02/91 per FCC release #172 dated 11/29/91; Affiliated with WHJX(AM)								
WCWB-FM LIC	ROBERT D	FOGEL	269A	3	29-36-40	82.5	23.77	166
TRENTON		FL	BLH-880307KD	101.7 100	82-51-14	262.6	-142	SHORT
PRM	CLASS	CHANGE FROM A PROP	270C3		30-22-56	319.5	117.1	117
MONTICELLO		FL	DOC-92-232	101.9	83-53-26	139.1	.061	CLOSE
PRM adopted 09/25/92, released 10/23/92; RM-8077; SITE RESTRICTION 11.2 MI S								
WQLC	LIC	LOUIS D BOLTON II	271C3	9	30-13-58	21.2	77.32	56
WATERTOWN		FL	BLH-920818KB	102.1 162	82-48-18	201.4	21.32	CLEAR
License Granted 11/18/92 per FCC release #21520 dated 11/23/92; Call Granted 10/31/89; Ant: Celwave CFM-LP4								
WTRS-FM LIC	ASTERISK	COMMUNICATIONS	272C2	50	29-11-16	122.7	81.12	58
DUNNELLON		FL	BLH-890705KB	102.3 149	82-23-39	303.0	23.12	CLEAR
License Granted 05/10/90 per FCC release #20859 dated 05/16/90; ORDERED FROM 272A; Affiliated with WTRS(AM)								

>> End of channel 269C2 study <<

EXHIBIT ONE

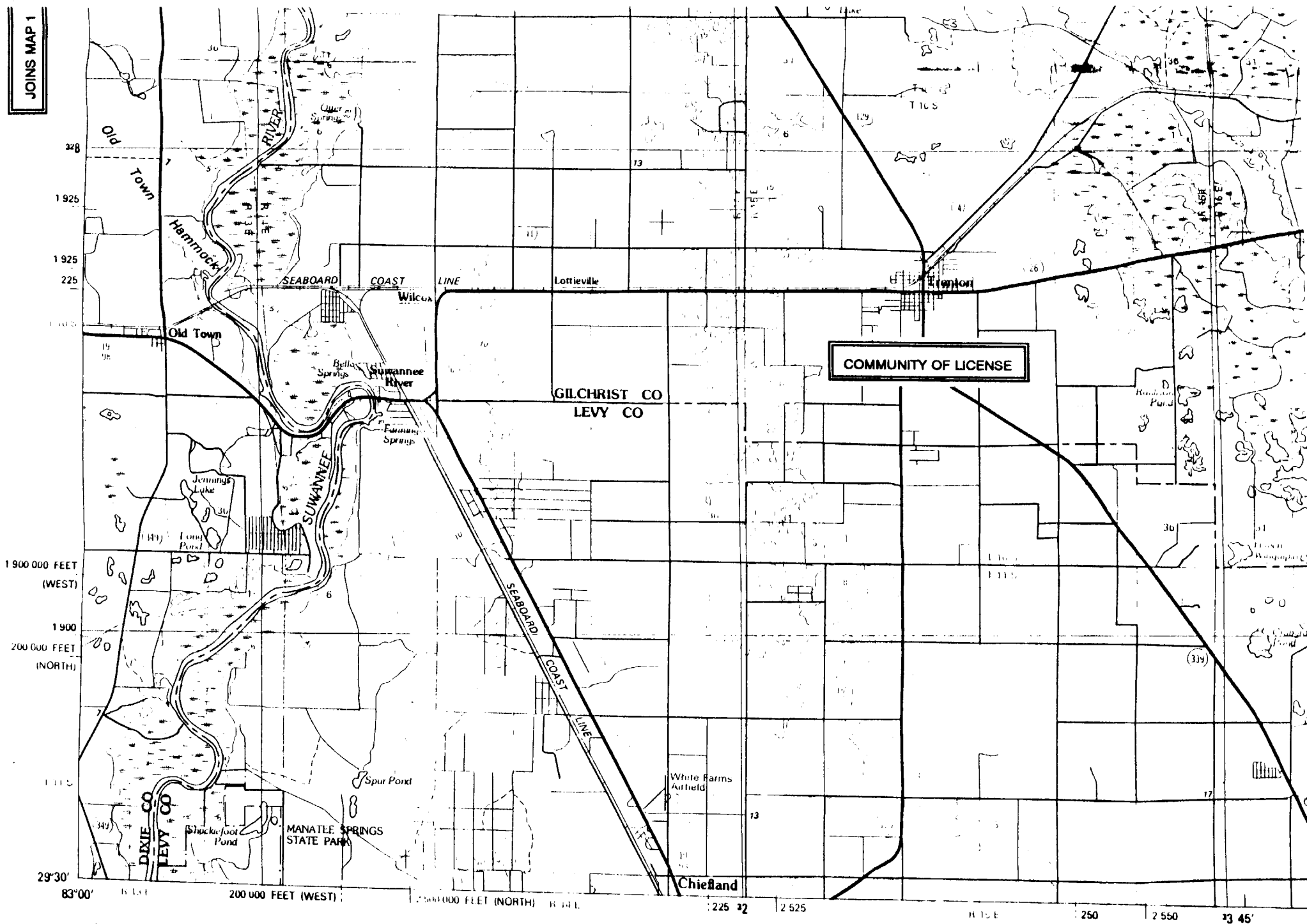
WORLD MEDIA, INC.
FOREST, VAPage 2
February 4, 1993

FM Spacing study

Title: WCWBC2
Channel 269C2 (101.7 MHz)
Database: FCC 12/29/92Latitude: 29-35-00
Longitude: 83-05-50
Safety zone: 5 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
WVVS	LIC	Valdosta State College	*215A	5.30	30-50-50	352.5	141.3	15
Valdosta	GA		90.9	21	83-17-26	172.4	126.3	CLEAR
WCIE-FM	LIC	Evangel Christian School	*216C1	100	28-04-46	148.1	196.0	27
Lakeland	FL		91.1	128	82-02-27	328.6	169.0	CLEAR
ALLOC			266C1		30-51-50	348.7	144.8	79
Valdosta	GA		101.1		83-23-39	168.6	65.80	CLEAR
ALLOC			267A		29-25-04	109.0	56.20	55
Williston	FL	DOC-91-52	101.3		82-32-58	289.3	1.199	CLOSE
WFHT	LIC	Broad Based Communicatio	268C2	50	30-31-08	308.9	166.7	130
Quincy	FL	BLH-901016KB	101.5	145	84-27-04	128.3	36.74	CLEAR
WHJX-FM	LIC	Eagle Broadcasting, Inc.	268C	100	30-49-17	43.2	189.7	188
Brunswick	GA	BLH-890707KD	101.5	446	81-44-13	223.9	1.715	CLOSE
ALLOC			268C		30-49-17	43.2	189.7	188
Brunswick	GA		101.5		81-44-13	223.9	1.715	CLOSE
ALLOC			269A		29-36-40	82.5	23.77	166
Trenton	FL		101.7		82-51-14	262.6	-142	SHORT
WCWB-FM	LIC	William Howard Burckhalt	269A	3	29-36-40	82.5	23.77	166
Trenton	FL	BLH-880307KD	101.7	100	82-51-14	262.6	-142	SHORT
PRM	ADD	Mayflower Broadcasting C	270C3		30-22-56	319.5	117.1	117
Monticello	FL	DOC-92-232	101.9		83-53-26	139.1	.061	CLOSE
WQLC	LIC	Louis D. Bolton, II	271C3	9	30-13-58	21.2	77.32	56
Watertown	FL	BLH-920818KB	102.1	162	82-48-18	201.4	21.32	CLEAR
ALLOC			272C2		29-14-06	120.0	77.07	58
Dunnellon	FL	DOC-87-301	102.3		82-24-36	300.4	19.07	CLEAR

>> End of channel 269C2 study <<

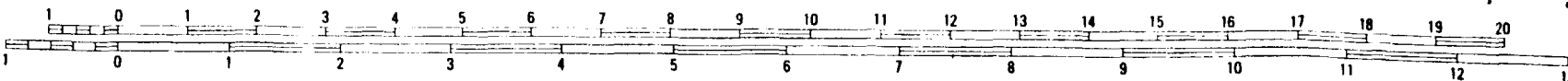


GAINESVILLE, FLORIDA

SCALE 1:100 000
 1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND
 CONTOUR INTERVAL 5 METERS

KILOMETERS

MILES



LAFAYETTE CO
DIXIE CO

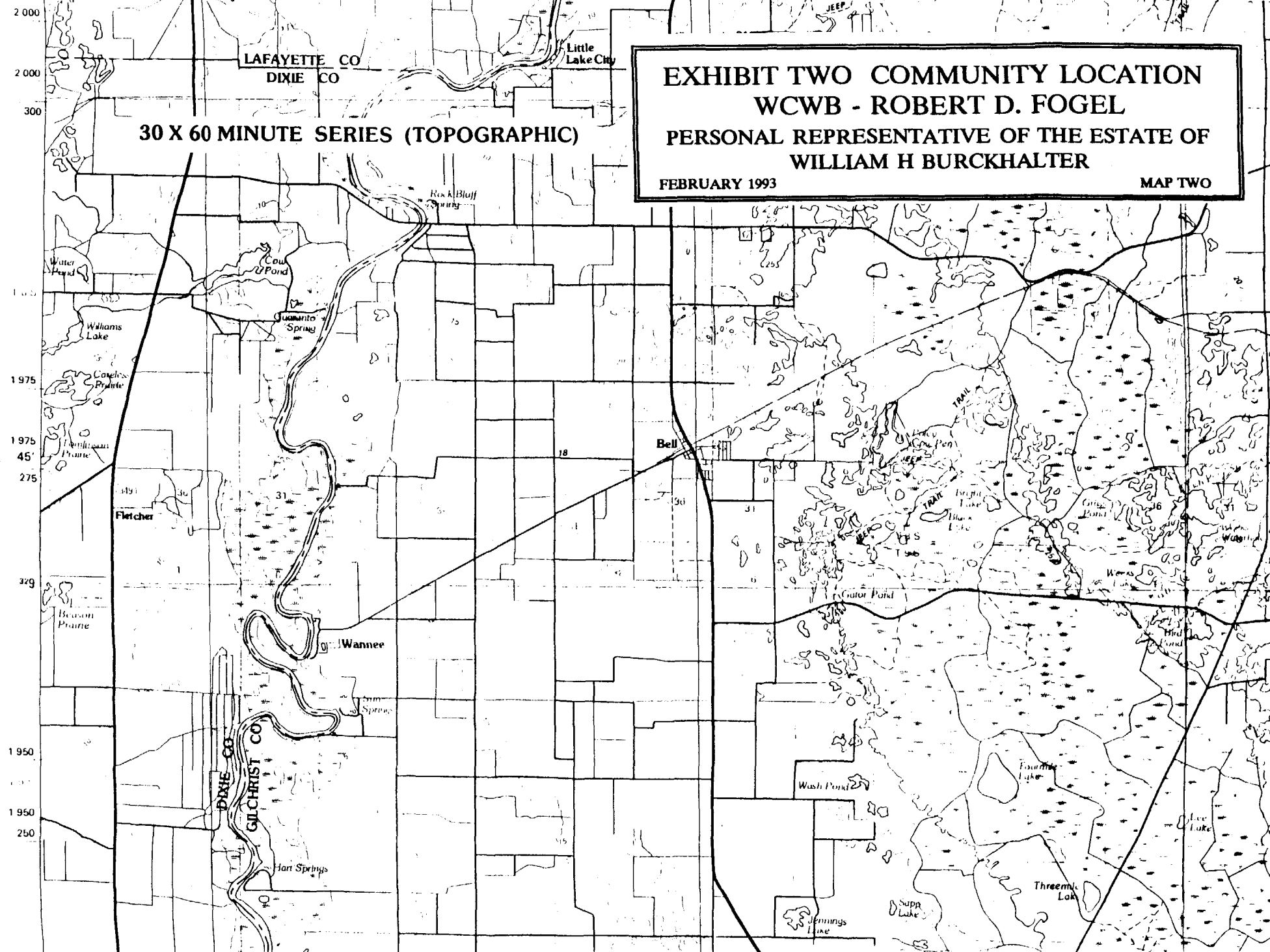
Little
Lake City

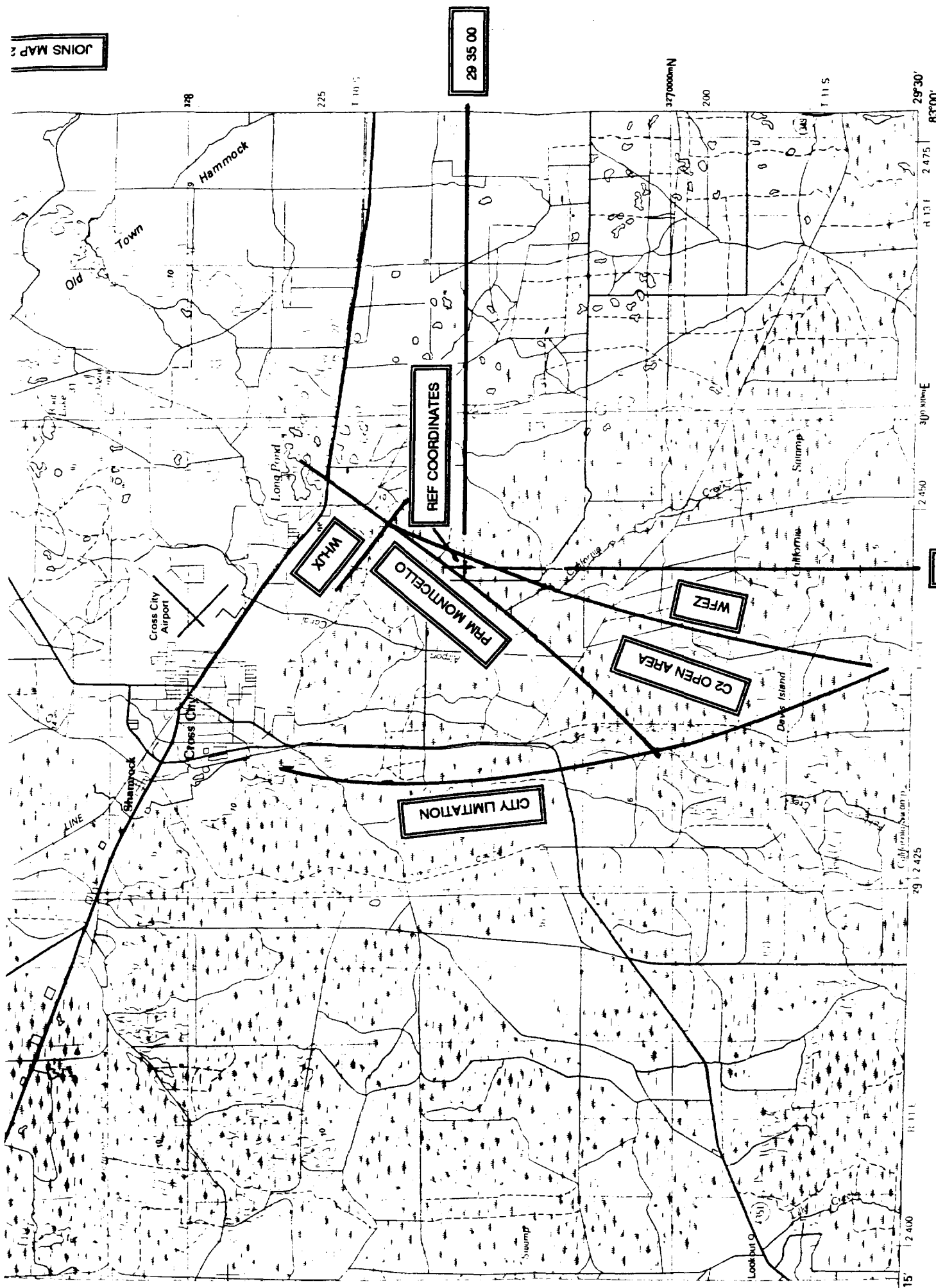
30 X 60 MINUTE SERIES (TOPOGRAPHIC)

EXHIBIT TWO COMMUNITY LOCATION
WCWB - ROBERT D. FOGEL
PERSONAL REPRESENTATIVE OF THE ESTATE OF
WILLIAM H BURCKHALTER

FEBRUARY 1993

MAP TWO





SCALE 1:100 000
1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND
CONTOUR INTERVAL 5 METERS

CROSS CITY, FLORIDA
N2930 - W8300/30 X 60

1978



LAFAYETTE CO
DIXIE CO

EXHIBIT TWO OPEN AREA STUDY
WCWB - ROBERT D. FOGEL
PERSONAL REPRESENTATIVE OF THE ESTATE OF
WILLIAM H BURCKHALTER

FEBRUARY 1993

MAP ONE

30 X 60 MINUTE SERIES (TOPOGRAPHIC)

